

Notice of Allowability

Application No.

09/689,463

Examiner

Cheryl Juska

Applicant(s)

HEDLEY, TERENCE MICHAEL

Art Unit

1771

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on June 9, 2003.
2. ☒ The allowed claim(s) is/are 28-62 and 101-105.
3. ☒ The drawings filed on 12 October 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/029,402.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Cheryl Juska
Primary Examiner
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DETAILED ACTION

Response to Amendment

1. The amendment filed June 9, 2003, has been entered. The specification has been amended as requested. Claims 21, 22, 24-32, 34-37, and 63-100 have been cancelled, while claims 38, 39, 45-47, 50, 53, and 54 have been amended. New claims 101-105 have been added. Thus, the pending claims are 38-62 and 101-105.
2. Said amendment is sufficient to withdraw the claim objection set forth in section 3 of the last Office Action. Additionally, said amendment is sufficient to withdraw the 112, 2nd rejections set forth in section 4-8. Furthermore, the amendment is sufficient to overcome the prior art rejections based upon Fujii (US 4,491,556), as set forth in sections 11-17 of the last Office Action.
3. In particular, Fujii does not teach the present claim limitation that the thickness of the integral peripheral region increases progressively from an inner edge of said region to the outer edge of said region. Also, it would not have been obvious to modify the Fujii invention to have said progressive thickness since Fujii explicitly a peripheral region comprising a level plateau and an outer edge which is tapered down (i.e., decreasing thickness).

Allowable Subject Matter

4. An updated search of the prior art has produced the following new art of record:
5. US 4,479,280 issued to Yamazaki et al. discloses a mat base plate for use with a shrinkable mat, wherein said base plate comprises a rubber mat having a peripheral region which

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increases in thickness (i.e., upward slope) towards an outer edge. However, the present claims are deemed patentable over Yamazaki since the reference teaches a plateau and/or a decrease in thickness (i.e., downward slope) at the outer edge of said peripheral region. See Figures 3-6 and 9-20. Additionally, the Yamazaki reference does not teach the presently claimed integral mat having a rubber backing with a fabric layer bonded or connected thereto.

6. US 4,415,620 issued to Yamazaki et al. also discloses a mat base plate for use with a floor mat, wherein said base plate has a peripheral region which increase in slope and then plateaus or decreases in slope towards the outer edge of said peripheral region. See Figures 4-610, 11, 12, 13, and 17-20. Yamazaki '620 also does not teach the rubber backing and fabric layer bonded or connected together.

7. Thus, the pending claims 38-62 and 101-105 are allowed.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Cheryl Juska whose telephone number is 703-305-4472. The Examiner can normally be reached on Monday-Friday 10am-6pm.

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If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Terrel Morris can be reached on 703-308-2414. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.



CHERYL A. JUSKA
PRIMARY EXAMINER

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October 6, 2003